

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL CONNSERO,)	No. C 07-4285 JSW (PR)
Plaintiff,)	
)	ORDER OF DISMISSAL
vs.)	
CAPTAIN B. RANKIN, et al,)	
Defendants.)	(Docket No. 3)
)	
)	

Plaintiff, a state prisoner currently incarcerated at Salinas Valley State Prison and a frequent litigant in the federal courts, has filed a pro se complaint under 42 U.S.C. § 1983, which though largely incomprehensible, seems to allege the violation of his constitutional rights by prison officials.

On December 17, 2007, the Court ordered Plaintiff to show cause, within 30 days, why this action should not be dismissed based on 28 U.S.C. § 1915(g) because Plaintiff “has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted.” Alternatively, Plaintiff was informed that he could pay the filing fee by that date. On January 8, 2008, Plaintiff wrote a letter to the Court requesting a 60-day extension of time, to and including March 8, 2008, in which to respond to the order to show cause. That date has now passed and Plaintiff has not responded to the order to show cause,

1 has not paid the filing fee, nor has he requested a further extension of time in
2 which to do so. Accordingly, this action is hereby DISMISSED under 28 U.S.C.
3 § 1915(g) without prejudice to refiling in an action in which Plaintiff pays the full
4 filing fee.

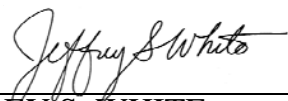
5 The application to proceed in forma pauperis is DENIED and no fee is
6 due.

7 This order terminates Docket No. 3.

8 The Clerk shall close the file and enter judgment.

9 IT IS SO ORDERED.

10 DATED: April 3, 2008

11 

JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL CONNSERO,
Plaintiff,

Case Number: CV07-04285 JSW

CERTIFICATE OF SERVICE

v.

MIKE EVANS et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 3, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael Connsero H-04102
Salinas Valley Prison
P.O. Box 1050
Soledad, CA 93960-1050

Dated: April 3, 2008



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk